

Last revised 8/1/15

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

In Re:

CHRISTAL A. FISHER-BATISSE

Case No.:

15-23142

Judge:

ABA

Chapter:

13

Debtor(s)

**Chapter 13 Plan and Motions**

☐ Original

☒ Modified/Notice Required

☒ Discharge Sought

☐ Motions Included

☐ Modified/No Notice Required

☐ No Discharge Sought

Date: 5/15/2017

THE DEBTOR HAS FILED FOR RELIEF UNDER  
CHAPTER 13 OF THE BANKRUPTCY CODE

**YOUR RIGHTS WILL BE AFFECTED**

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED  
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN  
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

**Part 1: Payment and Length of Plan**

a. The debtor shall pay \$ 850 per MONTH to the Chapter 13 Trustee, starting on JUNE 2017 for approximately 38 MORE months.

b. The debtor shall make plan payments to the Trustee from the following sources:

☒ Future earnings

☒ Other sources of funding (describe source, amount and date when funds are available):

\$17,250.00 PAID TO DATE

c. Use of real property to satisfy plan obligations:

- ☐ Sale of real property

Description:

Proposed date for completion: \_\_\_\_\_

- ☐ Refinance of real property:

Description:

Proposed date for completion: \_\_\_\_\_

- ☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: \_\_\_\_\_

- d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

- e. ☐ Other information that may be important relating to the payment and length of plan:

**Part 2: Adequate Protection**

a. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to \_\_\_\_\_ (creditor).

b. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: \_\_\_\_\_ (creditor).

**Part 3: Priority Claims (Including Administrative Expenses)**

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Chapter 13 Standing Trustee	Trustee Commissions	to be determined
Law Office of Andrew B. Finberg, LLC	Attorney fees & costs	\$2,810.00

**Part 4: Secured Claims**

**a. Curing Default and Maintaining Payments**

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

**b. Modification**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

**c. Surrender**

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
Ocwen Loan Servicing	28 Hewitt Lane: Sicklerville, NJ	\$70,000.00	unknown
Diamond Resorts	Timeshare	unknown	unknown

**d. Secured Claims Unaffected by the Plan**

The following secured claims are unaffected by the Plan:

1. Carrington Mortgage Services (current and outside plan)
2. Toyota Financial Services (current and outside plan)

**e. Secured Claims to be Paid in Full Through the Plan:**

Creditor	Collateral	Total Amount to be Paid Through the Plan

**Part 5: Unsecured Claims**

**a. Not separately classified** allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$ \_\_\_\_\_ to be distributed *pro rata*
- ☒ Not less than \_\_\_\_\_ 100 percent
- ☐ *Pro Rata* distribution from any remaining funds

**b. Separately classified unsecured** claims shall be treated as follows:

Creditor	Basis For Separate Classification	Treatment	Amount to be Paid
Navient	Student loans	To be paid outside	\$0.00

**Part 6: Executory Contracts and Unexpired Leases**

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor

**Part 7: Motions**

**NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service* must be filed with the Clerk of Court when the plan and transmittal notice are served.**

**a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f).**

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

**b. Motion to Avoid Liens and Reclassify Claim From Secured to Completely Unsecured.**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified

**c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

**Part 8: Other Plan Provisions**

**a. Vesting of Property of the Estate**

- ☒ Upon confirmation  
☐ Upon discharge

**b. Payment Notices**

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

**c. Order of Distribution**

The Trustee shall pay allowed claims in the following order:

- 1) Trustee commissions
- 2) Attorney Fees and Costs
- 3) Secured Claims
- 4) General Unsecured Claims

**d. Post-Petition Claims**

The Trustee ☒ is, ☐ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

**Part 9: Modification**

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being Modified: 7/2015.

Explain below **why** the plan is being modified:

Debtor had a reduction in income

Explain below **how** the plan is being modified:

Plan reduces monthly payment while maintaining \$100 to general unsecured creditors

Are Schedules I and J being filed simultaneously with this Modified Plan?

☒ Yes ☐ No

**Part 10: Sign Here**

The Debtor(s) and the attorney for the Debtor (if any) must sign this Plan.

Date: 5/15/2017

/s/ Andrew B. Finberg  
Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: 5/15/2017

/s/ Christal A. Fisher-Batisse  
Debtor

Date: \_\_\_\_\_

\_\_\_\_\_  
Joint Debtor

**Certificate of Notice Page 8 of 9**  
 United States Bankruptcy Court  
 District of New Jersey

In re:  
 Christal A Fisher-Battise  
 Debtor

Case No. 15-23142-ABA  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-1

User: admin  
 Form ID: pdf901

Page 1 of 2  
 Total Noticed: 60

Date Rcvd: May 17, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 19, 2017.

db  
 515620614 +Christal A Fisher-Battise, 1 Oak Hollow Lane, Sicklerville, NJ 08081-3908  
 515620615 Advanced Surgical Institute, 556 Egg Harbor Rd Suite B, Sewell, NJ 08080-2326  
 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238  
 (address filed with court: Bank of America, P.O. Box 15019, Wilmington, DE 19886)  
 515836590 +Bank of America, N.A., P O Box 982284, El Paso, TX 79998-2284  
 515620616 +Barclays Bank Delaware, 125 South West Street, Wilmington, DE 19801-5014  
 515620620 ++CITIBANK, PO BOX 790034, ST LOUIS MO 63179-0034  
 (address filed with court: CitiBank SD NA, Centralized bankruptcy, PO BOX 20363,  
 Kansas City, MO 64195)  
 515620617 +Capital One, PO Box 30281, Salt Lake City, UT 84130-0281  
 515715785 Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083  
 515620618 +Carrington Mortgage Services, PO Box 54285, Irvine, CA 92619-4285  
 515845580 +Carrington Mortgage Services, LLC, Bankruptcy Department, 1600 South Douglass Road,  
 Anaheim, California 92806-5951  
 515620619 Chase Cardmember Services, P.O. Box 15153, Wilmington, DE 19886-5153  
 515701440 +Comenity - Catherines, PO Box 659728, San Antonio, TX 78265-9728  
 515620621 +Comenity - Lane Bryant Retail, PO Box 659728, San Antonio, TX 78265-9728  
 515754641 Credit First NA, BK13-Credit Operations, PO Box 818011, Cleveland, OH 44181-8011  
 515620622 Credit First NA, PO Box 81344, Cleveland, OH 44188-0344  
 515620623 +Diamond Resorts, PO Box 60480, Los Angeles, CA 90060-0480  
 516556491 Educational Credit Management Corporation, P.O. Box 16408, St. Paul, MN 55116-0408  
 516556492 Educational Credit Management Corporation, P.O. Box 16408, St. Paul, MN 55116-0408,  
 Educational Credit Management Corporatio, P.O. Box 16408, St. Paul, MN 55116-0408  
 515620625 +Emergency Physicians of South Jersey, 90 Brick Road, Marlton, NJ 08053-2177  
 515620626 HRRG, PO Box 459080, Sunrise, FL 33345-9080  
 515620627 Macy's, PO Box 183083, Columbus, OH 43218-3083  
 515733194 +Midland Credit Management, Inc. as agent for, MIDLAND FUNDING LLC, PO Box 2011,  
 Warren, MI 48090-2011  
 515670699 +Navient Solutions, Inc. on behalf of PHEAA, P.O. Box 8147, Harrisburg, PA 17105-8147  
 515620629 Northstar Location Services, LLC, 4285 Genesee Street, Cheektowaga, NY 14225-1943  
 515677382 +Ocwen Loan Servicing, LLC, Attn Robertson, Anschutz & Schneid, PL,  
 6409 Congress Avenue, Suite 100, Boca Raton, FL 33487-2853  
 515620630 +Ocwen loan Servicing, LLC, PO Box 24738, West Palm Beach, FL 33416-4738  
 515620631 Paypal Credit, PO box 105658, Atlanta, GA 30348-5658  
 515701437 Plate Pass, LLC, 25274 Network Place, Chicago, IL 60673-1252  
 515620632 +Pressler and Pressler, 7 Entin Road, Parsippany, NJ 07054-5020  
 515701439 +Professional Gastroenterology, 1939 Route 70 East, Ste. 250, Cherry Hill, NJ 08003-4510  
 515620633 Regional Sewer Service Invoice, PO Box 1105, Bellmawr, NJ 08099-5105  
 515620636 Sears Credit Card, PO Box 688957, Des Moines, IA 50368-8957  
 515620637 +Sears Credit Cards, PO Box 6283, Sioux Falls, SD 57117-6283  
 515620638 Slate Cardmember Services, P.O. Box 15123, Wilmington, DE 19886-5153  
 515620639 Slate from Chase, Cardmember Service, PO Box 15153, Wilmington, DE 19886-5153  
 515620640 +South Jersey Gas, 1 South Jersey Plaza, Folsom, NJ 08037-9100  
 515620645 ++TOYOTA MOTOR CREDIT CORPORATION, PO BOX 8026, CEDAR RAPIDS IA 52408-8026  
 (address filed with court: Toyota Financial Services, P.O. Box 17187,  
 Baltimore, MD 21297-0511)  
 515620642 Target National Bank, PO Box 660170, Dallas, TX 75266-0170  
 515620643 +The Bank of New York Mellon Trust Co., c/o Udren Law Offices, PC,  
 Woodcrest Corporate Center, 111 Woodcrest Road, Suite 200, Cherry Hill, NJ 08003-3620  
 515846957 The Bank of New York Mellon Trust Company, Nationa, c/o Ocwen Loan Servicing LLC,  
 Attn: Bankruptcy Department, P.O. Box 24605, West Palm Beach, FL 33416-4605  
 515745945 +Toyota Motor Credit Corporation, PO Box 9013, Addison, Texas 75001-9013  
 515620646 Unifund CCR, LLC, 106S25 Techwds Cir, Cincinnati, OH 45249  
 515620647 +Verizon New Jersey, 500 Technology Drive, Weldon Spring, MO 63304-2225  
 515722613 eCAST Settlement Corporation, assignee, of Citibank, N.A., POB 29262,  
 New York, NY 10087-9262

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: usanj.njbankr@usdoj.gov May 17 2017 22:20:43 U.S. Attorney, 970 Broad St.,  
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534  
 smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov May 17 2017 22:20:41 United States Trustee,  
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,  
 Newark, NJ 07102-5235  
 515760297 E-mail/PDF: EBN\_AIS@AMERICANINFOSOURCE.COM May 17 2017 22:23:29  
 American InfoSource LP as agent for, Verizon, PO Box 248838,  
 Oklahoma City, OK 73124-8838  
 515831006 +E-mail/Text: bncmail@w-legal.com May 17 2017 22:20:48 CERASTES, LLC,  
 C O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132  
 515815115 +E-mail/Text: bncmail@w-legal.com May 17 2017 22:20:48 COMENITY CAPITAL BANK/PAYPAL CREDIT,  
 C/O WEINSTEIN & RILEY, P.S., 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132  
 515631976 E-mail/Text: mrdiscen@discover.com May 17 2017 22:19:58 Discover Bank,  
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025  
 515620624 E-mail/Text: mrdiscen@discover.com May 17 2017 22:19:58 Discover Card, PO Box 71084,  
 Charlotte, NC 28272-1084



District/off: 0312-1

User: admin  
Form ID: pdf901

Page 2 of 2  
Total Noticed: 60

Date Rcvd: May 17, 2017

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

515620628 +E-mail/PDF: pa\_dc\_claims@navient.com May 17 2017 22:16:20 Navient, PO Box 9500,  
Wilkes Barre, PA 18773-9500  
515819991 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com May 17 2017 22:23:40  
Portfolio Recovery Associates, LLC, c/o Sears Gold Mastercard, POB 41067,  
Norfolk VA 23541  
515845440 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com May 17 2017 22:36:11  
Portfolio Recovery Associates, LLC, c/o Sears Premier Card, POB 41067, Norfolk VA 23541  
515887180 E-mail/Text: bnc-quantum@quantum3group.com May 17 2017 22:20:36  
Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788  
515620634 E-mail/PDF: gecsedirecoverycorp.com May 17 2017 22:15:48 Sam's Club, PO Box 530942,  
Atlanta, GA 30353-0942  
515620635 E-mail/PDF: gecsedirecoverycorp.com May 17 2017 22:15:48 Sam's Club MC/Synchb,  
PO box 960013, Orlando, FL 32896-0013  
515620641 E-mail/PDF: gecsedirecoverycorp.com May 17 2017 22:15:48 Synchb/Walmart, PO BOX 960024,  
Orlando, FL 32896-0024  
515701438 E-mail/PDF: gecsedirecoverycorp.com May 17 2017 22:16:15 Synchrony Bank/JCP,  
PO Box 960090, Orlando, FL 32896-0090  
515620644 +E-mail/Text: chegyi@winslowtownship.com May 17 2017 22:20:43 Township of Winslow,  
Dominic Maise Muni Complex, 125 South Route 73, Braddock, NJ 08037-9423  
TOTAL: 16

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: May 19, 2017

Signature: /s/Joseph Speetjens

---

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 15, 2017 at the address(es) listed below:

Andrew B. Finberg on behalf of Debtor Christal A Fisher-Battise andy@sjbankruptcyllaw.com,  
abfecf@gmail.com;r39848@notify.bestcase.com  
Andrew M. Lubin on behalf of Creditor Carrington Mortgage Services, LLC bkecf@milsteadlaw.com,  
alubin@milsteadlaw.com  
Denise E. Carlon on behalf of Creditor Toyota Motor Credit Corporation  
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com  
Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com,  
summarymail@standingtrustee.com  
Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com

TOTAL: 5